

## Message Text

LIMITED OFFICIAL USE

PAGE 01 GENEVA 08083 251812Z

ACTION STR-07

INFO OCT-01 STRE-00 ISO-00 AF-10 ARA-10 EA-10 EUR-12

NEA-11 OIC-02 JUSE-00 CTME-00 AGRE-00 CEA-01

CIAE-00 COME-00 DODE-00 EB-08 FRB-03 H-01 INR-10

INT-05 L-03 LAB-04 NSAE-00 NSC-05 PA-01 AID-05

SS-15 ITC-01 TRSE-00 ICA-11 SP-02 SOE-02 OMB-01

DOE-15 /156 W

-----115989 251814Z /46

P 251806Z MAY 78

FM USMISSION GENEVA

TO SECSTATE WASHDC PRIORITY 0117

INFO AMEMBASSY BRUSSELS

AMEMBASSY TOKYO

LIMITED OFFICIAL USE GENEVA 08083

USMTN

USEEC

STR FOR ACTION

STR PASS CODEL

E.O.11652:N/A

TAGS: MTN, ETRD

SUBJECT: GOVERNMENT PROCUREMENT - PLURILATERAL

- MEETINGS WEEK OF MAY 15

1. SUMMARY: PLURILATERAL GOVERNMENT PROCUREMENT (GP)

MEETINGS RESULTED IN FURTHER PROGRESS ON TENDERING

PROCEDURES SECTION OF MTN/NTM/W/133, AND WITNESSED

MAJOR SHIFT IN JAPANESE POSITION. FIVE DEVELOPED

COUNTRIES (US, EC, JAPAN, NORDICS, SWISS) EXCHANGED

INDICATIVE LISTS OF PRELIMINARY OFFERS OF ENTITY

COVERAGE. IT WAS ALSO AGREED THAT GATT SECRETARIAT

WILL CIRCULATE NEW W/133 THAT WILL INCLUDE REVISED

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 GENEVA 08083 251812Z

SECTIONS ON TENDERING PROCEDURES, INFORMATION, AND

FINAL PROVISIONS. END SUMMARY.

2. TENDERING PROCEDURES: JAPANESE DEL PUT FORWARD

A "NEW" POSITION ON TENDERING PROCEDURES THAT REPRESENTED

A MAJOR POLICY SHIFT ON PART OF GOJ. CONSIDERABLE

EFFORT WAS THEN DEVOTED TO INCORPORATING THIS

POSITION INTO TENDERING PROCEDURES SECTION OF DRAFT GP CODE. FOR MOST PART, JAPANESE ACCEPTED TEXT AS PREVIOUSLY AGREED ON BY OTHER FIVE DEVELOPED COUNTRIES, BUT GOJ STILL HAS SOME DISTANCE TO GO IN NARROWING DEROGATIONS FOR USE OF SINGLE TENDERING.

3. DISCUSSION OF TENDERING TEXT ALSO FLUSHED OUT NEW PROBLEM WITH EC IN EX-ANTE INFORMATION. AS A RESULT OF MEMBER STATE CONSULTATIONS, EC DEL (DERISBOURG) SUBMITTED A PROPOSAL WHICH WOULD LIMIT THE POSSIBILITY OF PARTICIPATION IN SELECTIVE TENDERING. SPECIFICALLY, WHILE IT WOULD ALLOW A SUPPLIER TO SUBMIT AN APPLICATION TO BE CONSIDERED FOR A PARTICULAR PURCHASE, THE ENTITY WOULD MAINTAIN ITS OPTION TO SELECT THOSE SUPPLIERS IT WOULD ALLOW TO BID. U.S. DEL (NEWKIRK) REACTED STRONGLY TO NEW EC POSITION AND WAS TOLD PRIVATELY THAT THIS WAS "TEMPORARY" MOVE THAT WOULD BE RIGHTED BY CONCLUSION OF NEGOTIATIONS.

4. INFORMATION: DISCUSSION ON THE INFORMATION SECTION AIMED AT NARROWING DIFFERENCES ON THE TEXT. UNFORTUNATELY EC WAS NOT READY TO MAKE ANY CHANGES IN ITS POSITION MAINTAINING THAT THE TIME IS NOT RIPE FOR COMPROMISE. JAPANESE DEL (ABE) RAISED TECHNICAL OBJECTION TO PARA 6 REQUIREMENT TO GIVE INFORMATION TO OTHER SIGNATORY GOVERNMENTS. GOJ OBJECTION FOCUSED ON A LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 03 GENEVA 08083 251812Z

PARISON OF INFORMATION REQUIREMENTS IN DISPUTE SETTLEMENT SECTION AND WHETHER A GOVERNMENT MUST UNDERTAKE INFORMATION EXCHANGE AS AN OBLIGATION OR SHOULD MERELY GIVE SUCH REQUEST "SYMPATHETIC CONSIDERATION". AFTER STRONG DEMARCHE BY U.S. DEL, JAPANESE DEL BACKED OFF FROM PROPOSED LANGUAGE CHANGES, BUT DID BRACKET PARAGRAPH.

5. FINAL PROVISIONS: AT EC REQUEST, A BRIEF DISCUSSION WAS HELD ON ELEMENTS WHICH MUST BE CONSIDERED IN FINAL PROVISIONS SECTION OF GP DRAFT. ELEMENTS INCLUDE: MEMBERSHIP AND ACCESSION; RATIFICATION AND IMPLEMENTATION; ENTRY INTO FORCE; RELATIONSHIP WITH THE GENERAL AGREEMENT; AMENDMENT AND REVIEW; AND WITHDRAWAL. THESE ELEMENTS WILL BE LISTED IN A REVISED W/133 AS "POINTS FOR DISCUSSION".

6. TENDERING PROCEDURES, INFORMATION, AND FINAL PROVISIONS SECTIONS HAVE BEEN RETYPED BY GATT SECRETARIAT TO REFLECT LAST WEEK'S DISCUSSIONS (HAND-CARRIED TO WASHINGTON BY BRYAN MILLER/COMMERCE). THESE SECTIONS ARE BEING DISTRIBUTED TO AN EXPANDED GROUP OF DEVELOPED

AND DEVELOPING COUNTRIES FOR A GENERAL DISCUSSION AT  
MAY 31 7 PLUS 7 MEETING. SUBSEQUENT TO THE 7 PLUS 7,  
THE SECRETARIAT WILL CIRCULATE A REVISED VERSION OF  
W/133 WITH THESE SECTIONS INCLUDED.

7. DRAFTED BY SHELLEY. MCDONALD

LIMITED OFFICIAL USE

NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 jan 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** GOVERNMENT PROCUREMENT, MEETINGS, MEETING REPORTS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 25 may 1978  
**Decaption Date:** 01 jan 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 20 Mar 2014  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1978GENEVA08083  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Expiration:**  
**Film Number:** D780221-0512  
**Format:** TEL  
**From:** GENEVA USMTN  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1978/newtext/t19780521/aaaaaqxq.tel  
**Line Count:** 122  
**Litigation Code IDs:**  
**Litigation Codes:**  
**Litigation History:**  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Message ID:** 82f54497-c288-dd11-92da-001cc4696bcc  
**Office:** ACTION STR  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 3  
**Previous Channel Indicators:** n/a  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** n/a  
**Retention:** 0  
**Review Action:** RELEASED, APPROVED  
**Review Content Flags:**  
**Review Date:** 05 may 2005  
**Review Event:**  
**Review Exemptions:** n/a  
**Review Media Identifier:**  
**Review Release Date:** N/A  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**SAS ID:** 2576571  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** GOVERNMENT PROCUREMENT - PLURILATERAL - MEETINGS WEEK OF MAY 15  
**TAGS:** ETRD, MTN  
**To:** STATE  
**Type:** TE  
**vdkgvwkey:** odhc://SAS/SAS.dbo.SAS\_Docs/82f54497-c288-dd11-92da-001cc4696bcc  
**Review Markings:**  
Sheryl P. Walter  
Declassified/Released  
US Department of State  
EO Systematic Review  
20 Mar 2014  
**Markings:** Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014